

## **AMENDMENTS TO THE CLAIMS:**

Claims 1-29 are canceled without prejudice or disclaimer. Claims 30-49 are added. The following is the status of the claims of the above-captioned application, as amended.

Claims 1-29 (Cancelled.)

Claim 30. (New.) An isolated polynucleotide comprising an open reading frame encoding a polypeptide having alpha-amylase activity, the polypeptide selected from the group consisting of:

- a) a polypeptide comprising an amino acid sequence which has at least 80% identity with amino acids 22 to 450 of SEQ ID NO:4;
- b) a polypeptide comprising an amino acid sequence which has at least 80% identity with the polypeptide encoded by the amylase encoding part of the polynucleotide inserted into a plasmid present in the *E. coli* host deposited under the Budapest Treaty with DSMZ under accession number DSM 15334;
- c) a polypeptide encoded by a polynucleotide comprising a nucleotide sequence which has at least 80% identity with the sequence shown from position 68 to 1417 in SEQ ID NO:3; and
- d) a fragment of (a), (b) or (c) that has alpha-amylase activity.

Claim 31. (New.) The polynucleotide according to claim 30, wherein the polypeptide comprises an amino acid sequence which has at least 80% identity with amino acids 22 to 450 of SEQ ID NO:4.

Claim 32. (New.) The polynucleotide according to claim 30, wherein the polypeptide comprises an amino acid sequence which has at least 80% identity with the polypeptide encoded by the amylase encoding part of the polynucleotide inserted into a plasmid present in the *E. coli* host deposited under the Budapest Treaty with DSMZ under accession number DSM 15334.

Claim 33. (New.) The polynucleotide according to claim 30, wherein the polypeptide is encoded by a polynucleotide comprising a nucleotide sequence which has at least 80% identity with the sequence shown from position 68 to 1417 in SEQ ID NO:3.

Claim 34. (New.) The polynucleotide according to claim 30, wherein the polypeptide comprises an amino acid sequence which has at least 85% identity with amino acids 22 to 450 of SEQ ID NO:4.

Claim 35. (New.) The polynucleotide according to claim 30, wherein the polypeptide comprises an amino acid sequence which has at least 85% identity with the polypeptide encoded by the amylase encoding part of the polynucleotide inserted into a plasmid present in the *E. coli* host deposited under the Budapest Treaty with DSMZ under accession number DSM 15334.

Claim 36. (New.) The polynucleotide according to claim 30, wherein the polypeptide is encoded by a polynucleotide comprising a nucleotide sequence which has at least 85% identity with the sequence shown from position 68 to 1417 in SEQ ID NO:3.

Claim 37. (New.) The polynucleotide according to claim 30, wherein the polypeptide comprises an amino acid sequence which has at least 90% identity with amino acids 22 to 450 of SEQ ID NO:4.

Claim 38. (New.) The polynucleotide according to claim 30, wherein the polypeptide comprises an amino acid sequence which has at least 90% identity with the polypeptide encoded by the amylase encoding part of the polynucleotide inserted into a plasmid present in the *E. coli* host deposited under the Budapest Treaty with DSMZ under accession number DSM 15334.

Claim 39. (New.) The polynucleotide according to claim 30, wherein the polypeptide is encoded by a polynucleotide comprising a nucleotide sequence which has at least 90% identity with the sequence shown from position 68 to 1417 in SEQ ID NO:3.

Claim 40. (New.) The polynucleotide according to claim 30, wherein the polypeptide comprises an amino acid sequence which has at least 95% identity with amino acids 22 to 450 of SEQ ID NO:4.

Claim 41. (New.) The polynucleotide according to claim 30, wherein the polypeptide comprises an amino acid sequence which has at least 95% identity with the polypeptide

encoded by the amylase encoding part of the polynucleotide inserted into a plasmid present in the *E. coli* host deposited under the Budapest Treaty with DSMZ under accession number DSM 15334.

Claim 42. (New.) The polynucleotide according to claim 30, wherein the polypeptide is encoded by a polynucleotide comprising a nucleotide sequence which has at least 95% identity with the sequence shown from position 68 to 1417 in SEQ ID NO:3.

Claim 43. (New.) The polynucleotide according to claim 30, wherein the polypeptide consists of an amino acid sequence having amino acids 22 to 450 of SEQ ID NO:4.

Claim 44. (New.) The polynucleotide according to claim 30, wherein the polypeptide consists of an amino acid sequence encoded by the amylase encoding part of the polynucleotide inserted into a plasmid present in the *E. coli* host deposited under the Budapest Treaty with DSMZ under accession number DSM 15334.

Claim 45. (New.) The polynucleotide according to claim 30, wherein the polypeptide is encoded by a polynucleotide consisting of a nucleotide sequence shown from position 68 to 1417 in SEQ ID NO:3.

Claim 46. (New.) A nucleic acid construct comprising a polynucleotide as defined in claim 30 operably linked to one or more control sequences that direct the production of the polypeptide in a suitable host cell.

Claim 47. (New.) A recombinant expression vector comprising a nucleic acid construct as defined in claim 46.

Claim 48. (New.) A recombinant host cell comprising a nucleic acid construct as defined in claim 46.

Claim 49. (New.) A method for producing a polypeptide having alpha-amylase activity, the method comprising:

- (a) cultivating a recombinant host cell of claim 48 under conditions conducive for production of the polypeptide; and

(b) recovering the polypeptide.